

Plaintiff brings this action under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e- 2000e-5, for alleged racial discrimination. To state a claim upon which relief can be granted under Title VII, plaintiff is required to present a prima facie case of race discrimination: that she is a member of a protected class, that she was qualified for the position, and that despite her qualification she was displaced from the

position. *E.g., Ruby v. Springfield R-12 Public School Dist.*, 76 F.3d 909, 911 (8th Cir. 1996).

Plaintiff has alleged that she is a member of a protected class, but she has failed to allege that she was qualified for the position from which she was displaced. As a result, she has failed to state a prima facie case of race discrimination under Title VII and, therefore, she has failed to state a claim upon which relief can be granted and this case is subject to dismissal under 28 U.S.C. § 1915(e).

Because plaintiff is proceeding pro se, the Court finds that plaintiff should be allowed the opportunity to file an amended complaint within 30 days of the date of this Order. If plaintiff fails to timely file an amended complaint, this case shall be dismissed without prejudice.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis [#2] is **GRANTED**.

IT IS FURTHER ORDERED that plaintiff shall file an amended complaint within 30 days of the date of this Order. If plaintiff fails to timely file an amended complaint, this case shall be dismissed without prejudice.

IT IS FURTHER ORDERED that the Clerk shall not issue process or cause process to issue at this time because the Court has ordered plaintiff to file an amended complaint.

Dated this 6th Day of June, 2007.

A handwritten signature in cursive script, reading "Henry Edward Autrey", with a long horizontal flourish extending to the right.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE